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Security Council

Fifty-sixth year

Provisional

4321st meeting

Friday, 18 May 2001, 10.30 a.m.
New York

President:	Mr. Cunningham	(United States of America)
Members:	Bangladesh	Mr. Ahsan
	China	Mr. Shen Guofang
	Colombia	Mr. Franco
	France	Mr. Doutriaux
	Ireland	Mr. Ryan
	Jamaica	Miss Durrant
	Mali	Mr. Kassé
	Mauritius	Mr. Latona
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Ms. Lee
	Tunisia	Mr. Ben Youssef
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon

Agenda

The situation in East Timor

Interim report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/436).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-37679 (E)

The meeting was called to order at 10.35 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in East Timor

Interim report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/436)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Brazil, Canada, Indonesia, Japan, New Zealand, Portugal, the Republic of Korea and Sweden in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Wensley (Australia), Mr. Fonseca (Brazil), Mr. Heinbecker (Canada), Mr. Widodo (Indonesia), Mr. Akasaka (Japan), Mr. MacKay (New Zealand), Mr. Brito (Portugal), Mr. Sun Joun-yung (Republic of Korea) and Mr. Schori (Sweden) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend invitations under rule 39 of its provisional rules of procedure to Mr. Xanana Gusmão, President of the National Council of Timorese Resistance, and to Mr. José Ramos-Horta, Member of the Transitional Cabinet of East Timor responsible for Foreign Affairs.

There being no objection, it is so decided.

I invite Mr. Gusmão to take a seat at the Council table.

I invite Mr. Ramos-Horta to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2001/436, which contains the interim report of the Secretary-General on the United Nations Transitional Administration in East Timor (UNTAET).

On behalf of all Council members, I would like to welcome Xanana Gusmão and José Ramos-Horta's participation in this meeting. The Council has talked about the concept of Timorization and hearing directly from the two of them is a tangible reflection of that process, going a step further than we did in January, when Mr. Ramos-Horta participated with Sergio Vieira de Mello in the Council discussion leading to the decision to extend the mandate of UNTAET.

There are other significant East Timorese voices, including those of the leaders of the newly registered political parties. It will be important for UNTAET to ensure that the full range of East Timorese views is communicated to the Council, especially in the post-election period. We look forward to welcoming soon East Timor's participation in the Council, not under rule 39, but as a full-fledged Member of the United Nations.

In that regard, I would note that Council members have agreed that Mr. Gusmão and Mr. Ramos-Horta will speak before Council members and other Member States take the floor. We have a full programme to get through in a limited period and we will try to move along quickly.

I give the floor to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

Mr. Annabi: It is with a deep sense of humility that I take the floor today because, however much we

try to learn and know about the situation in East Timor, we will never know as much as our colleagues from East Timor. That is why I am particularly please that Xanana Gusmão and José Ramos-Horta have joined us this morning and that they will have the opportunity to brief the Council themselves on how they see the situation in East Timor.

Members of the Council have before them the report of the Secretary-General of 2 May, submitted pursuant to Security Council resolution 1338 (2001) of 31 January. By that resolution, the Council decided to extend the mandate of the United Nations Transitional Administration in East Timor (UNTAET) until 31 January next year. The Council requested the Secretary-General to report to it by 30 April 2001 on the implementation of the mandate, including military and political assessments of the situation on the ground and their implications for the size, structure and deployment of UNTAET.

The report covers developments in the political transition and, since its publication, there have been a number of developments which I would like to recall briefly.

Under the provisions of the UNTAET regulation on the election of the Constituent Assembly, the Secretary-General has appointed the Commissioners of the Independent Electoral Commission and five political parties to date have applied for registration to participate in the election. As of today, UNTAET's Civil Registration Unit has registered some 390,000 East Timorese for the elections. There have been some technical difficulties, as members of the Council may be aware, but additional equipment has arrived and UNTAET is working very hard to complete the registration exercise by the 20 June deadline so as to enable the ballot to occur on 30 August, as anticipated.

On the economic side, the major developments in the rehabilitation of the economy and infrastructure are covered in the report. Therefore, I will not repeat them. I should simply say that, as regards the exploitation of oil and gas resources in the Timor Sea, very useful talks were held with the Government of Australia at the beginning of this month. These talks were held in a constructive spirit. The next round is scheduled to take place in Dili later this month, at which time work will begin on the drafting of the text of a treaty.

I wish to say a word about refugees. The visits undertaken by UNTAET's Chief of Staff to four refugee camps in West Timor from 9 to 11 April were the main development covered in the report, but I regret to have to inform the Council that, since then, there has been no tangible progress in resolving the situation of the refugees. Discussions between UNTAET and the Indonesian authorities continue and the Indonesian authorities have informed UNTAET that they plan to undertake a one-day registration of the refugees in West Timor in June. As members will recall, this registration had been scheduled for this month, but it has now been postponed to next month.

At the last Security Council meeting on East Timor on 5 April, I undertook to revert to the question of the abduction of East Timorese women to West Timor. As members of the Council will appreciate, in the absence of a permanent international presence in West Timor following the brutal murders of three workers from the Office of the United Nations High Commissioner for Refugees (UNHCR) and the continuing presence of militia, obtaining concrete information has proven very difficult. Indonesian human rights and non-governmental organizations monitoring the camps have attempted to gather information on these cases, but their access to the camps is limited and, where contact is made, many of the women are reluctant to speak. Most cases remain unknown until a woman returns to East Timor and makes a complaint. Of the 25 abduction and rape cases currently under investigation by UNTAET's Serious Crimes Unit, one woman remains in West Timor. UNTAET is seeking to pursue this matter during the course of its bilateral negotiations on outstanding issues with the Indonesian Government. These negotiations actually resumed this week.

The Secretary-General refers in his report to President Wahid's decree of 24 April, establishing an ad hoc tribunal to deal with gross violations of human rights in East Timor, that will enable the first Indonesian trials to start. However, the decree limits the tribunal's jurisdiction to acts committed after the ballot of 30 August 1999, thus excluding earlier atrocities from prosecution. Mr. Vieira de Mello has urged the Indonesian authorities to reissue the decree without temporal restrictions.

On 4 May a Jakarta court handed down sentences ranging from 10 to 20 months to six men, in connection with the killings on 6 September 2000 of three UNHCR staff members in West Timor. The international community received this outcome with shock and

disbelief. Clearly, given the gravity of those crimes, this cannot be the last word. We have since been informed that the Indonesian prosecutor has appealed the judgement.

As the Council requested, the report addresses the issue of security. The overall security situation is currently good, but the report also identifies risks, both internal and external, especially in view of the heightened and sensitive political season ahead, which will conclude with the formation of the first Government of an independent East Timor. Given the uncertain outlook on security, the Secretary-General concludes in his report that it would be prudent to maintain the military component of UNTAET essentially in its present form until the East Timorese Government has established itself. The Secretary-General will of course keep this matter under review and will propose any adjustments warranted by the situation.

With regard to the post-independence presence of the United Nations, planning is under way in Dili, where a working group has been established. For a number of weeks, that working group has been working to prepare appropriate plans. Here at Headquarters, an integrated mission task force has also begun its work to support and complement the work of the working group in Dili and to effect coordination among the organizations concerned. A team of experts has visited East Timor to review UNTAET's assets to determine their future utility and possible disposition. A further step has been taken with the appointment of a senior United Nations official to coordinate planning between United Nations Headquarters and the field. That official will travel to East Timor next week. The donor conference to be held in Canberra, Australia, in mid-June will also provide an opportunity to review this work prior to the next report to the Security Council, which is scheduled for the end of July.

To conclude, the Secretary-General is aware of concerns among Member States regarding the level of resources committed to this operation. However, he is also conscious of the comprehensive responsibility the United Nations has assumed in East Timor. He therefore favours a prudent approach that seeks to safeguard the international community's considerable investment in East Timor's future. His report at the end of July will a provide further opportunity to review the situation.

The President: I would now like to give the floor to Mr. Gusmão, President of the National Council of Timorese Resistance.

Mr. Gusmão: First of all, I would like to thank you, Mr. President, for granting me the honour of addressing the Council, thus giving us an opportunity to share some of our major concerns with the Council at this stage of the transitional process in East Timor.

Three main issues have been recurrently raised by the Council. We bring these issues to the Council's attention because they are yet to be resolved and continue to deserve our attention and concern. Those issues are justice and reconciliation, the security situation and the prospects for development as a whole.

The East Timorese leadership is often questioned on its stance regarding the accountability of the perpetrators of the crimes committed in 1999, both before and after the United Nations-organized popular consultation. Just as often, we have stated that justice and reconciliation are two components of a process that must proceed alongside each other. This responsibility is equally shared by the international community and ourselves. The crimes committed in East Timor have caused immense grief, great suffering and endless pain, first and foremost to the children, women and men of our country. However, they were also an affront to the international community, which was already committed to the consultation process and was mobilizing to enable our people to freely choose their future. We therefore believe that the international community should take primary responsibility in bringing about justice, while we, the East Timorese, will bear the responsibility for, and concentrate on, the reconciliation process.

The international community and, indeed, the East Timorese have been understanding towards Indonesia and have repeatedly given it opportunities to implement that which has been promised so many times, namely, the punishment of the perpetrators of the violence. Unfortunately, as of today, the response has not been satisfactory, as shown by the appalling verdicts given to the confessed authors of the murder of the three staff members of the Office of the United Nations High Commissioner for Refugees (UNHCR).

We wish to reaffirm before the Council that we remain greatly committed to the reconciliation process. Last week, a meeting was held in Bali, and next week another one will be held in East Timor, with leaders of

the pro-autonomy factions. We have been extending an olive branch for some time, and we will continue to do so; for we are aware that this will be a long process. However, we believe that the much-needed stability in East Timor will face great difficulties if we do not carry that process to success.

At this point we deem the security situation in East Timor to be under control. To avoid confusion, however, a distinction must be made between the violence and offences presently being committed in East Timor and the infiltrations and attacks at the border. The nature and causes of each of these types of security situations are substantially different. One type is often reported in a dramatic tone; but official civilian police statistics and analysis easily prove that it stands at levels far less dramatic than in the overwhelming majority of capital cities throughout the world. The present socio-economic situation of the population is undoubtedly a decisive contributing factor.

The situation at the border is a different issue altogether. The militia groups continue to reign with impunity and control the remaining refugees in West Timor. The incursions and infiltrations through our common border are still occurring, and very recently five new ones took place. After a year and a half of hoping that a change could be brought about, stern action is needed. This is a major concern to all of us, given the impact it still has in destabilizing our process.

We seek a good-neighbourly relationship with Indonesia, based on mutual respect and understanding. The East Timorese leadership has often met in Jakarta with members of the Indonesian Government and other institutions, with the goal of normalizing these relationships, bridging existing gaps and gaining mutual understanding and respect. We also wish to state that this will continue, for both countries are in need of peace and stability, and both peoples deserve them. We are sure that Indonesia understands that we, as a small country with a small population, not only do not constitute any threat to neighbouring countries, but, more importantly, are truly committed to building a new relationship with our neighbours, looking towards the future.

In this context, I wish to ask the Council members to continue their support for East Timor. We are aware of the demands placed on the Council by so many other unfortunate and difficult situations around the world. We are equally aware of how much the international community has invested in keeping peace in East Timor. We are very thankful. But because we know that the Council is engaged in making East Timor a successful case, I urge the members of the Council to keep the peacekeeping mission in our country. We understand that a mission such as this would have to be downsized after independence is declared. However, we will continue to need the assistance of the international community both at the security level and in assisting and advising the future leaders during the initial phase of independence.

The success of this mission is the success of the international community as much as it is that of the East Timorese. Together we can uphold the values of peace, justice, democracy, human rights and abidance by international law.

For us East Timorese the success of this mission means, above all, ensuring our preparedness to take up the responsibility of governing our sovereign country in a democratic and sustainable manner. We will achieve that only with peace and stability, and for that we need the continued support of the international community. I can assure the Council that in some years' time, the East Timorese will address this Council and will express their gratitude for having trusted us when we made our requests. We will be proud to come to the Council with an expression of gratitude from our people, stating that we will stand with the Council as a member of the international community that relates to its partners like any other country, but that no longer needs to ask for continued assistance. Only then will we be able to share with the Council the joy of true freedom.

Our process is moving ahead, and we will soon enter yet another stage — a decisive and determining one for us: the turning point, which will be the elections and the establishment of democratically elected institutions.

The election results will be a reference for the establishment of a Timorese Government, whose structure we are tuning and finalizing. As soon as it is designed, the resources allocated to its institutions will be more efficiently used, for they will be targeted according to a previously agreed administrative architecture. It will be a moment of paramount importance in that it will represent the first step towards taking full responsibility for our country.

East Timor still lacks a structured economic system. Important steps have been made in part of the regulatory framework, and there is a consensus among the political forces on the open and free-market economic system to be set up. However, we have yet to define the vision for future development.

I am pleased to inform the Council that we will soon set up a group to work full time on strategic development planning for the short, medium and long term. This is an East Timorese initiative that has the support of World Bank President Jim Wolfensohn and the full involvement of other interested parties.

This task is one we had intended to initiate sooner, after the three conferences held by the East Timorese to that effect. The demands of the process, and the lack of human and material resources in the country to enable a full-time commitment to it hampered our initial intention. I will be personally involved in this process, and I assure the Council that it is also in our best interest that investments made by the international community be efficiently used. We wish to design the strategic guidelines for the development of East Timor as the most effective means to correctly allocate both human and material resources and to obtain genuine sustainable development for the newly emerging independent nation.

As we have often stated, development is a hollow concept in the absence of democracy and freedom. However, our people, who have fought and suffered for so long, deserve only the very best that we, hand in hand with our partners in the international community, can offer them.

The international community has been assisting us generously in maintaining freedom. We will reciprocate by building a democratic country that will contribute peace to the region and the world.

The President: I call on Mr. Ramos-Horta.

Mr. Ramos-Horta: Congratulations, Mr. President, on your assumption of the presidency for this month.

I apologize for not having a written contribution. I will just add some comments to what President Xanana Gusmão has just stated.

The first comment I would like to make is that by June we will have dissolved the National Council of Timorese Resistance (CNRT), an umbrella organization that was vital for many years in our struggle to bring together all East Timorese groups for one common goal. It was under that particular umbrella and that flag that we went to the polls on 30 August 1999. But as the political process unfolds, it is also time for us to give space to and encourage the multi-party system: plurality. It was our plan all along, from the very beginning, to downsize the CNRT itself as the East Timor Transitional Administration takes shape, so as not to have a parallel and competitive institution. We believe that in June it will be time for the CNRT to be disbanded so that the parties can prepare much more effectively for the elections for the Constituent Assembly, which we hope will take place on 30 August.

After its dissolution the CNRT will be replaced by an even more encompassing and important instrument: the national pact. We have had discussions with all political parties in East Timor, and we are in the process now of drafting a comprehensive document that would contain important elements such as commitment to democracy, tolerance, non-violence, respect for ethnic and religious minorities and compliance with international standards of human rights and the rule of law. But that document would also bind all political parties, regardless of the election results of 30 August and the composition of the Government, to honour existing international agreements. These would be signed by all parties in East Timor and would be witnessed by the two Catholic Bishops of East Timor and Mr. Sergio Vieira de Mello. This would send a reassuring message to our people and to the international community.

I would also like to add some comments on the verdict handed down on the assassins of the three workers from the Office of the United Nations High Commissioner for Refugees (UNHCR). But before that I would like to remind the Council of our efforts, which have been known to you for many months — over a year — to seek to understand the difficulties which the democratically elected Government of Indonesia faces.

As you know, time and again we have stated, in agreement with the position taken by the Secretary-General, that we should allow time, we should trust the Indonesian legal system to bring to justice the perpetrators of war crimes and crimes against humanity. We have expressed our trust and confidence in the integrity of the Attorney General, our friend Marzuki Daruzman. It was therefore with profound

sadness and shock that we heard of the sentence handed down to the confessed assassins of three international humanitarian workers — 10 to 20 months for those who committed a crime and vaunted their pride in doing it.

How can we, as human beings with a conscience, react as if nothing really serious had happened? Can we continue to place that trust and confidence in the system that has produced this verdict? We are outraged, like the rest of the international community, and it really discouraged all of us, including the people of East Timor, regarding the direction the Indonesian justice system is taking in regard to other serious crimes committed in the course of 1999 by senior Indonesian military officers and East Timorese under the responsibility of the Indonesian army. We hope that we have not heard the last of this from the Indonesian side.

I would also elaborate briefly on the question of the reported violence in East Timor. As President Xanana Gusmão has indicated, we have to make two distinctions. First there is the situation along the border, with sporadic incursions from West Timor into the areas protected by the peacekeeping forces — Australia, New Zealand, Nepal and others. Unfortunately, this happens in contravention of so many pledges we have received from the Indonesian side with regard to disarming and dismantling the militias to enable the refugees — as long as they are unprotected refugees – to be there without fear. Yet the militias continue to control the camps. Assistant Secretary-General Annabi has referred to the continuing presence of rape victims, who are unprotected.

What is tragic is that on our part we have explained to the Council and to the Indonesian authorities our vision of peace, of friendship with the Republic of Indonesia, in particular with the province which is our neighbour, West Timor. If the militias were to be disarmed, as has been promised; if West Timor ceased to be a base of instability and aggression against peacekeeping forces and East Timor, we would create the conditions for East Timor — the independent East Timor — and in particular West Timor, to develop relations whereby we could have free trade across the border and free movement of people; where we could develop joint strategies for the eradication of malaria and for reducing poverty.

West Timor — even though it has not faced a war for the 50 years since Indonesian independence — is even poorer than East Timor. The people in West Timor rightly resent the fact that the international community always pays more attention to East Timor than to them in terms of their economic well-being.

We have discussed this vision with Indonesian authorities, with President Abdurrahman Wahid and Foreign Minister Alwi Shihab. But as long as West Timor remains a very unstable region on our own border — instead of conditions being created for West Timor to attract international investors in order to reduce unemployment there — we see that the realization of this vision, this dream, is almost impossible.

As the Assistant Secretary-General has mentioned, the negotiations for a new revenue-sharing agreement on the resources of the Timor Gap area, oil and gas, are now proceeding at a faster pace, and very positively. I would even dare to hope that in two months a new agreement should be signed to enable the investors to begin to draw up the contracts for pipelines to bring the gas from the Timor Sea to the Northern Territory of Australia.

The win-win theory suggests that the two sides emerge from the negotiation process happy. Maybe the two sides might not come out entirely happy, but neither side is angry or disappointed. Australia is a close friend and neighbour, a strategic partner of East Timor, and we believe it is in our common interest to reach an agreement sooner for the benefit of the Northern Territory of Australia and particularly for the people of East Timor, who need those revenues.

The Council has made a considerable investment to bring this process to the point where we are today. There were ups and downs, frustrations and disappointments, but that is very natural in such a complex process, particularly when we bear in mind where we were in September 1999. Looking at where we are today, we see that dramatic progress has been made in every sector. Much more remains to be done. For progress to continue, as President Gusmão has stated, there has to be a positive, continuing signal on the part of the international community of its engagement with East Timor.

There are two pillars of the whole United Nations mission in East Timor. First, the security pillar. That is to say that as much as we understand that East Timor is

not, unfortunately, the only conflict in the world demanding the Council's attention, it is an area where the Council has made serious investments in resources and time and where there is a real promise of success, for the good name of the international community, for each of you and, certainly more importantly, for the people of East Timor. Therefore we ask you to continue to insure that whatever consideration you will give in terms of downsizing the peacekeeping force in East Timor, it must also be conditioned by developments on the security front.

We are conscious that we must intensify, obviously, the process of Timorization and capacity-building so that independence will take place, as we have promised, in the first three months of next year. So far, so good. The calendar can be implemented as promised.

I turn to the subject of our own responsibilities, what the East Timorese themselves will do, together with the United Nations, to ensure internal peace in East Timor. In terms of external security and other aspects of security, including internal, we rely on the peacekeeping force, the civilian police and the institutions of law and order that have been created. But there is also the process of reconciliation. That is our responsibility, and we can assure the Council that we are continuing to work hard on this front with those who in the past favoured autonomy within Indonesia. We have stated to them that voting for autonomy, holding those views, does not constitute a crime. Any East Timorese can say, "I want East Timor to be part of Tasmania", or "East Timor should be part of Alaska." It is their right, as long as no crime, no violence, is perpetrated to achieve those goals. This is the message we have conveyed to the pro-autonomy elements: reconciliation, yes, but we cannot overlook crime and disregard justice.

In this regard, the Timorese side will continue to work with out brothers and sisters from the other side in continuing the process of reconciliation. A week from now a large group of pro-autonomy elements will be travelling to Timor for a meeting with us. This will be the fifth, sixth or seventh meeting we have had in different locations and at different levels.

But the issue of justice remains a responsibility of the international community. In this regard, I will conclude by saying that the Serious Crimes Unit of the Untied Nations in East Timor must be supported and strengthened so that it can continue the extraordinary work that it has already begun. At the same time, the Indonesian authorities must not be allowed to forget the pledges they have made, to us to and to the members of the Council, that the perpetrators of war crimes and crimes against humanity in East Timor will be brought to trial.

The President: I shall now give the floor to members of the Council.

Mr. Eldon (United Kingdom): I thank Assistant Secretary-General Annabi for a very useful briefing. It is particularly good to see here today Xanana Gusmão and José Ramos-Horta. For my delegation, it has been particularly useful to hear at first hand their assessment of the preparations for the elections in East Timor and for independence. I should also, at this stage, associate myself with the remarks that will be made later in the debate by the representative of Sweden on behalf of the European Union.

We very much welcome the Secretary-General's report. We agree with his assessment that the security situation remains uncertain. The military presence of the United Nations Transitional Administration in East Timor (UNTAET) should therefore remain at its current level until a security assessment shows that downsizing is feasible. It may well be that this will not be possible before the election.

But we should remain cost-conscious. There is a need for the Transitional Administration to improve its management of the budget, and we have noted in particular the lack of progress in cost recovery — for example, in terms of electricity and water charges, vehicle registration and United Nations airport flight charges. We understand, for example, that in the last 12 months about $10 million worth of electricity has effectively been given away because electricity metres have not been installed. It would be very interesting to hear from Mr. Annabi whether consideration has been given to alternative charging structures in the interim, such as, for example, a flat-rate electricity charge for households.

The United Kingdom remains deeply concerned about the conditions in West Timor. This issue was an important focus of the Security Council mission last year, and the situation is no less worrying now. I would like to encourage the Indonesian Government to conduct its promised registration programme without further delay. It is most important that the refugees who

choose to return should have an opportunity to register to vote in the elections. We also look forward to an early mission of the Office of the United Nations Security Coordinator to assess security conditions in West Timor. Personally, I am sorry that it has not been possible to send the mission before now, since it is a key component in terms of looking at the possibility of getting international agencies back into the West.

Nevertheless, we welcome the steps that have been taken by the Indonesian Attorney General to investigate fully the human rights violations and other violations committed in East Timor following the consultation. We also welcome his intention to appeal with regard to the, frankly, derisory sentences handed down for the Atambua killings. I think José Ramos-Horta's intervention amply demonstrates the feelings in East Timor about this, and I know that there are very similar concerns in the Council. Indeed, the Council will need to continue to monitor this process closely.

We hope that the Indonesian Government will complete arrangements for the ad hoc human rights tribunal so that it can begin its work without delay. We would also urge the Government of Indonesia to amend the decree promulgating the decision to establish the tribunal so that it extends also to crimes committed before the August 1999 ballot.

Finally, we must look to the future. Later in the summer the Council will have an opportunity to look closely at the planning for a post-independence United Nations presence. We strongly support the decision that has been taken by the Secretariat to establish an integrated mission task force to look at this issue. Planning for the follow-on process must involve relevant branches of the Secretariat and United Nations agencies, as well as bringing in vital input from UNTAET and Dili. It is important also that this planning include provisions for a realistic exit strategy; but the United Kingdom is convinced that the international community must remain engaged in East Timor for some years beyond independence.

Ms. Lee (Singapore): We thank Mr. Hédi Annabi for introducing the interim report of the Secretary-General on the United Nations Transitional Administration in East Timor (UNTAET), which Singapore fully supports. His further updates on the situation in East Timor were also very helpful. We warmly welcome Mr. Xanana Gusmão to the Security Council, and we are also pleased to see Mr. José Ramos-Horta in this Chamber again. Having tasked UNTAET with progressively delegating further authority to the East Timorese people, it is appropriate that the Security Council increasingly hears directly from East Timorese leaders as a clear demonstration of the Council's commitment to the Timorization efforts. Their appraisal of how UNTAET is performing will be an important reality check on whether the United Nations is moving on the right track. More importantly, their vision for the future of East Timor will be instrumental in shaping Security Council deliberations on the post-independence phase, providing a valuable input for the next report, on which the integrated mission task force for East Timor at United Nations Headquarters and the working group in Dili are no doubt working hard.

The people of East Timor must now harness the determination that carried them through the long years of struggle as they make the transition to independence. They must now apply their stamina to the long-term goal of making East Timor a viable and sustainable country. Rowing a small boat in rough seas requires unity of purpose and direction and the collective strength and determination of each and every East Timorese. Reconciliation among all East Timorese is therefore important. A tolerant and cohesive East Timorese society and a reinvigorated East Timorese national identity would also encourage the much-needed East Timorese diaspora to return to East Timor and contribute to its independence efforts.

Singapore completely agrees with the Secretary-General's conclusion, in paragraph 33 of the report (S/2001/436), favouring

> "a prudent approach, which seeks to safeguard the international community's considerable investment in East Timor's future."

A stable and lasting foundation for East Timor cannot be built overnight. UNTAET, with the support of the international community, has made significant progress in important areas in East Timor. We should concentrate our efforts on consolidating and advancing the gains made by UNTAET and focus on helping East Timor to safely set sail on its own.

As the United Nations begins the process of thinking through its future role in East Timor, it is crucial that we bear in mind the broader political context and security implications that East Timor has for the region. East Timor's future is intimately and

inextricably intertwined with that of Indonesia, its closest neighbour. Both countries are undergoing painful transitions and adjustments, and how they eventually fare will have an important and far-reaching bearing on the region. Special care must be taken to support — not jeopardize — the development of sound and lasting democratic institutions in both countries.

We strongly believe that the United Nations and the international community have an important responsibility and obligation to remain engaged in East Timor to help maintain peace as well as rehabilitate the country. Indeed, much of what UNTAET has achieved would not have been possible without the resources and political support provided by the United Nations and the international community. The exit of the United Nations should be neither precipitate nor based on unrealistic time-frames. Instead, it should be predicated on key objectives or benchmarks relating to what we hope to achieve in East Timor, all of which must contribute to laying a firm foundation for a stable and viable independent East Timor. In this regard, we look forward to the July report of the Secretary-General that will deal with this issue.

Until then, the continuing militia and refugee problem, and the domestic violence, which might heighten in the lead-up to the elections, clearly show the need for a continued strong United Nations peacekeeping presence in East Timor. At a recent informal meeting of countries contributing troops to UNTAET, some of us heard about how the peacekeeping force is helping to provide internal security in East Timor in cooperation with the civilian police component. It is certainly true that a strong and visible peacekeeping presence plays an important pre-emptive and preventive role in maintaining stability in the territory. In addition, we believe that a stable and secure environment is essential to improve the investment climate in East Timor. By sending positive signals to international investors, we would be helping to bolster the economic development of East Timor, thus contributing to its long-term viability, which would eventually reduce its dependence on international assistance.

The refugees of East Timorese origin still remaining in West Timor is an important outstanding issue which should be resolved urgently. We therefore note with great interest Indonesia's efforts in preparing for the registration exercise currently scheduled for 6 June this year. That would be an important first step towards helping these refugees. This is not just a simple technical affair, but one involving many delicate issues. As such, we believe that that the United Nations should also be involved in all aspects of the exercise. Singapore had hoped that the United Nations Security Coordinator could have dispatched the inter-agency security assessment mission to West Timor sooner. It could potentially have paved the way for a larger United Nations field presence to help facilitate the registration process, followed by the resettlement or repatriation exercises.

We are aware of and fully understand the disappointment and indignation that have been expressed by others with regard to the sentences that have been handed down in connection with the killing last year of three staff members of the Office of the United Nations High Commissioner for Refugees. Singapore has always been a strong advocate for the safety and protection of United Nations and associated personnel. The brutal killing of unarmed United Nations personnel cannot go unpunished. However, we believe that Indonesia's judicial process should be allowed to run its course. In this regard, we are also heartened by the decision of the Indonesian prosecution to appeal the sentences. We are confident that Indonesia understands both the seriousness that the international community accords to this matter and the importance of dealing with it in a credible way that is commensurate with its scope. In this light, we also welcome the first steps that have been taken against suspects accused of crimes against humanity and other serious crimes committed during the violence in 1999, including the establishment of an ad hoc tribunal to deal with post-ballot violence. We hope that further concrete steps will be taken by Indonesia, including working closely with UNTAET, to bring those responsible to justice.

Ultimately, the success of East Timor depends on the East Timorese themselves. Up to this point, the determination and commitment displayed by the East Timorese people have been reassuring and have given much cause for hope. If I may develop the maritime analogy that I used at the beginning of my statement, the international community is helping East Timor to prepare for the next phase of its sea journey. External elements, like weather conditions, are clearly beyond our control; they are difficult for us to predict. However, we have the capacity to take steps that help enhance the seaworthiness of the East Timorese vessel,

and we must do so. These include putting up the mast, repairing the hull and providing the crew with navigational and other necessary skills to steer the vessel. If we succeed, we will help launch the flagship of a true United Nations success story.

Mr. Shen Guofang (China) (*spoke in Chinese*): I should like to thank you, Mr. President, for organizing this important meeting today. I also wish to thank the Secretary-General for his report, and Assistant Secretary-General Annabi for his detailed briefing. I also welcome among us Mr. Gusmão and Mr. Ramos-Horta, and thank them for their important statements.

China notes with pleasure that the work towards independence has been proceeding in an orderly manner. A few days ago, work began on registering voters for the election of the Constituent Assembly. The active participation of the political parties in East Timor testifies to the fact that they take the process of democracy and independence seriously.

The problem of refugees in West Timor is still very disquieting. China believes that the decision by the Office of the United Nations Security Coordinator to organize and lead an inter-agency security assessment mission to West Timor this month is very important. We hope that that measure will help to provide assistance to refugees in dire need and accelerate the repatriation process, so that they can fully participate in the independence process in East Timor and exercise their due democratic rights.

We note that, although the overall security situation in East Timor is good, as mentioned in the Secretary-General's report, the local population remains highly concerned as to whether the political process will continue to develop peacefully. A number of recent incidents prove that the population's concern for the future is not unfounded. Violence has erupted on occasion, as indicated in paragraphs 19 and 20 of the report, targeting civilians and United Nations peacekeepers. These acts are totally unacceptable and the perpetrators should be brought to justice.

Experience shows that, along with the acceleration of the process leading to political independence, the opportunities for an exacerbation of the tensions will also multiply. We therefore endorse the relevant analysis and recommendations of the Secretary-General. We believe that, against the backdrop of an uncertain security situation in East Timor, UNTAET should take measures to build the people's confidence in the orderly unfolding of the independence process so as to create a more stable social environment for the exercise of their democratic rights. In this regard, the cooperation and support of Indonesia are very important. I also wish to point out in this respect that the international community should support the stability of both Indonesia and East Timor, which remains important to peace and stability in Asia and the world as a whole.

UNTAET has established a working group on the ground to draft a post-transition plan and a corresponding body has been established at United Nations Headquarters to assist that group. These measures will help to increase East Timor's capacity for independent administration following its accession to independence. Meanwhile, China also hopes that the United Nations will respect and heed the aspirations of the East Timorese people and, on that basis, propose specific recommendations for every aspect of the transition of power for the Security Council's consideration.

The independence and self-sufficiency of East Timor require the political support of all Member States, as well as the generous assistance of the international community to the economic development of the territory. To that end, China has already provided every possible assistance and will continue to explore with East Timor the opportunities for promoting economic and trade relations and new channels for investment there.

Mr. Doutriaux (France) (*spoke in French*): I wish at the outset to thank Mr. Annabi for his very clear briefing, which perfectly reflects the outstanding job being done by the United Nations Transitional Administration in East Timor (UNTAET) under the effective leadership of Mr. Vieira de Mello.

I wish to welcome Mr. Xanana Gusmão and Mr. José Ramos-Horta. Their statements bear witness to their courage and conviction and give a precise idea of the tremendous challenges that have already been faced. They indicate the steps that remain to be taken in order to attain our common objective — the establishment of an independent, democratic and viable East Timor — in the best possible circumstances and as soon as possible. We wish them every success in their courageous endeavour.

A statement will be made later by the representative of Sweden on behalf of the European

Union and I shall therefore confine myself to making a few comments.

I wish first to welcome the progress that has been made since our meeting of 5 April. It is broad and is helping to make UNTAET a success.

The main piece of good news is the fact that the process of preparing the elections to the Constituent Assembly is going smoothly. As noted by the Secretariat, the timetable is definitely tight if registration is to be completed by 20 June and the elections are to be held on the symbolic date of 30 August. Trying to respect these deadlines is, however, essential if momentum is not to be lost and if the aims of adopting a constitution in the following three months and achieving independence later are to be met.

The transition should be as speedy as possible. Speed is a prerequisite for success. Several examples of transitional authorities that have achieved their objectives testify to this, such as the United Nations Transitional Authority in Cambodia, which lasted 18 months, and the United Nations Transitional Authority in Eastern Slavonia, Baranja and Western Sirmium, which lasted barely two years.

A speedy transition should certainly not, however, be synonymous with disengagement. The tremendous investment that the international community has quite rightly made in Timor should not be wasted. More than $1 billion in multilateral assistance has been mobilized since October 1999. Today, one quarter of active Blue Helmets are deployed in UNTAET.

The transition must be flexible in order to respond as closely as possible to the needs of the Timorese. That is why we must answer the following questions: Is it, for instance, desirable for the expenditure linked to the cost of maintaining the military component to be 100 times greater than that of training of Timorese police? Is it desirable for the civilian police component, the utility of which is recognized by all, to be only one fifth the size of the military component? Is it necessary to maintain a military component of approximately 8,200 men, while barely 2,500 of these are stationed in the western part of East Timor to address the very real threat of militias active in West Timor? Are the UNTAET Blue Helmets in a better position than the civilian police units to maintain law and order?

These are all questions that we must ask if we are to undertake the necessary adaptations at the right time. The interim report that has just been issued contains sensible recommendations on UNTAET's desirable actions, maintaining the status quo, until the elections of 30 August. Clearly, there is no question of changing the international presence in the electoral context. As the Secretary-General rightly notes in his interim report, the electoral period will require particular vigilance.

It would be useful, however, if the next report, due in July, were to contain fresh recommendations on the possible ways in which UNTAET can be adapted after the elections but before independence. These recommendations should take account first and foremost of security conditions, needs on the ground and the wishes of the Timorese. There can be no compromise, for instance, where the security needs of personnel are concerned. In this respect, the verdict rendered by the Indonesian trial court in the case of the murder of three workers of the Office of the United Nations High Commissioner for Refugees (UNHCR) is very disappointing, to say the least. France welcomes the decision of the Indonesian prosecutor to appeal the sentences.

Particular attention must also be paid to the crucial question of the return of refugees. We note the intention of the Indonesian Government to organize the registration of refugees in West Timor, in principle on 6 June. This registration is supposed to be preceded by an information campaign in the camps from 25 to 27 May. Where do the preparations for this stand? What will be the roles of UNHCR and UNTAET? Will the security assessment mission of the Office of the United Nations Security Coordinator, announced in the report for the month of May, actually take place? Is it likely to lead to a revised classification to level 5, which would authorize the return of United Nations personnel to the camps of West Timor?

We must consider the process of registering refugees in West Timor in conjunction with the electoral timetable in East Timor. Merging these processes is no easy task. The Indonesian authorities are indicating that, on the basis of registration on 6 June, they will be unable to undertake the first return operations until 28 June. For its part, UNTAET expects to complete the electoral rolls by 20 June. How can we reconcile these two timetables? Are special procedures envisaged? We must avoid creating a time bomb for the

new Timorese democracy by virtue of a group of refugees not having been able to participate in the voting.

Equally careful preparation must go into the post-independence period. The first stage of those preparations has begun with the setting up of planning structures, namely, a post-UNTAET working group in Dili and an integrated mission task force in New York. These two structures will serve as valuable tools in the preparation of the recommendations to be presented to donors at Canberra in mid-June and, pursuant to Security Council resolution 1338 (2001), to the Council itself by 31 July.

It would be interesting if, under the presidency of China, in July our Council were able to carry out its discussions in the presence of representatives of the United Nations Development Programme, the International Monetary Fund and the World Bank, as was the case last January. None of the players who will have a major part to play in the international presence during the post-independence period should be left out of the deliberation process.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): We are grateful to Mr. Annabi for his briefing on the situation in East Timor. We are also grateful for the participation in today's meeting of Mr. Xanana Gusmão and Mr. José Ramos-Horta, who have given us their appraisals of the situation in East Timor as it moves towards independence.

Our latest review of the situation in East Timor, including a study of the interim report of the Secretary-General, enables us to draw conclusions about the progress made in the territory's move towards independence. However, a great deal remains to be done to achieve that independence. In this connection, we view positively the activities of the United Nations Transitional Administration in East Timor (UNTAET), headed by the Special Representative of the Secretary-General, Mr. Vieira de Mello. At the same time, along with obvious successes, we cannot fail to draw attention to remaining problems.

Among the most serious of those problems is that of refugees in West Timor. Unfortunately, the pro-integrationist militia has not yet been disarmed. That militia is not only preventing the return of refugees, it also continues to be a source of threats along the border with East Timor.

As far as we know, there has once again been a postponement in refugee registration. In that regard, there is still no certainty that registration will take place within the new time-frame. This issue is of substantial significance because the new postponement virtually eliminates the chances for participation in East Timor's general election for those refugees remaining in West Timor, who expect to be registered there as temporarily displaced persons and to return to their former residences after the elections.

We are also concerned about the fact that there has been an intensification of the political split within Timorese society because of differing views about conditions for the implementation of national reconciliation and about the draft of a future constitution. Unfortunately, the existing differences have not been kept within the bounds of civilized disagreement, but have spilled over into clashes among East Timorese.

The international community's attention has been drawn to the recent decision taken by an Indonesian court regarding one of the leaders of the pro-integrationist militia, Mr. Guterres. We are opposed to interference in the administration of justice in sovereign States, but we are convinced that those guilty of the terror unleashed in East Timor in connection with the holding of a referendum there, as well as those who attacked United Nations personnel in West Timor, must receive the proper punishment. We must take decisive measures to prevent similar incidents in the future.

A notable event in the internal political life of East Timor took place on 7 May. That day marked the start of the first census to be taken in the territory. That event took place along with the registration of voters, in the course of which over 42 per cent of the population has been registered. We trust that this can been considered a good guarantee for the successful conduct of planned activities.

With regard the further presence of the United Nations in East Timor, we believe that the concrete format and parameters of that presence will be determined in accordance with real requirements, and with the agreement of the authorities of an independent East Timor.

Mr. Ryan (Ireland): I would like to thank you, Mr. President, for calling this open meeting, and to welcome our guests, Mr. Xanana Gusmão and Mr. José Ramos-Horta. We consider their participation in this meeting as a reflection of the close relationship between East Timor and the United Nations, and of the successful Timorization process, which is central to the move towards independence. We have listened carefully to their interventions, and we are moved by the statesmanlike quality and integrity of their remarks. We would also like to thank Assistant Secretary-General Hédi Annabi for his full and informative briefing, although we are concerned about several elements in it.

Ireland associates itself fully with the statement that will be delivered shortly by the representative of Sweden on behalf of the European Union. I will not repeat the views expressed therein, which we share, but will simply highlight a few issues which Ireland, as a country with a long-standing involvement in East Timor, considers to be of particular importance.

Since the establishment of the United Nations Transitional Administration in East Timor (UNTAET), in October 1999, significant progress has been made towards independence. We take this opportunity to pay tribute to the dedicated personnel working with the various components of the mission. As a result of the further development and intensification of that work, we look forward to the people of East Timor participating in truly democratic elections, which, in turn, will provide a solid foundation for the future. We hope that the political dissension within East Timor, in itself a positive sign of normalization, will be addressed by the relevant parties through debate and constitutional means, and that it will not lead to civic unrest and violence.

We are very heartened to hear from Mr. Ramos-Horta of the important components now under active consideration for the proposed national pact to be signed, inter alia, by all political parties in East Timor. Any points that may be at issue in this context require resolution through strength of argument rather than physical force. We therefore believe that extreme care must be taken to ensure that calm and stability are maintained during the election process and during the subsequent constitutional building period.

In that regard, Ireland remains concerned about the security situation and believes that the significant efforts of the international community should not be endangered by a premature reduction of troops. We agree fully with the Secretary-General's assessment that the military component of UNTAET should be maintained in its present form until the new Government in East Timor has established itself. We also believe that a substantial international presence will be necessary in the post-independence period. This should be commensurate with actual requirements and calibrated to a timetable of careful scrutiny and review. We look forward to the recommendations of the Secretary-General and to further discussions about the structure of such a presence, in which Ireland would hope to participate.

Ireland believes that significant progress towards successful elections is being made in East Timor through the registration process and through the all-important civic education programme. However, we are concerned about the pace of the refugee registration process in West Timor. Those who wish to vote in the elections for the Constituent Assembly in East Timor must be able to return there in time to register. We are very concerned to hear this morning from Mr. Annabi that for more than one month now there has not been further progress on the refugee issue. We urge the Government of Indonesia to implement fully and speedily its programme of repatriation and resettlement in this regard.

Ireland believes it is essential that those who have violated human rights and international humanitarian law should be prosecuted in conformity with international standards of justice and fairness. While we welcome the steps taken to investigate such violations, we are concerned about recent developments, including the light sentences handed down in connection with the killings of three personnel of the United Nations Office of the High Commissioner for Refugees in Atambua and the limited scope of the ad hoc human rights tribunal. We understand that these issues are under review. While we fully respect the separation of executive, legislative and judicial powers within Indonesia, we urge in the strongest terms the competent authorities to take full cognizance of the gravity of such acts and to ensure that the perpetrators of all such violence face the full force of the law. The punishment must fit the crime and must be seen to fit the crime. Mr. Ramos-Horta has just spoken eloquently and tellingly in this regard.

Ireland raised in a previous meeting the question of women who were abducted from East Timor during the conflict there, some of whom are now allegedly held in conditions of sexual slavery in West Timor. Ireland is extremely concerned about this matter. We are further concerned to hear today from Mr. Annabi about continuing difficulties in making progress with this problem. We urge in strong terms that the Indonesian authorities provide full cooperation in this urgent matter. We expect and require this cooperation.

Finally, let me affirm Ireland's commitment to supporting the people of East Timor, both during the period of transition to independence and after independence has been achieved.

Mr. Franco (Colombia) (*spoke in Spanish*): We are grateful for the introduction of the Secretary-General's report, which makes an assessment of the political and military situation and of its repercussions on the scale and structure of the United Nations Transitional Administration in East Timor (UNTAET).

In the debate held in January, there was contagious enthusiasm regarding the final process of bringing East Timor to independence. However, in this report we note concern as the independence of East Timor approaches. Colombia reaffirms what it expressed in the January debate: that the Security Council must take the measures necessary to allow UNTAET to complete its work, without time pressures that could compromise the future of the emerging administration of East Timor.

Holding the elections for the Constituent Assembly on 30 August 2001 will certainly be a test for the future Timorese nation. We have noted with satisfaction that to date more than 40 per cent of the population has been registered. The Constituent Assembly bears a great responsibility. In this regard, we support the actions taken to promote debate and to facilitate public participation in the future of East Timor. We believe that the voter education programmes that UNTAET is promoting are vitally important. It also seems appropriate to us that the decision concerning the date of East Timor's independence be taken in the light of the deliberations of the Constituent Assembly.

The refugee situation continues unresolved. We take note of the visit of the UNTAET chief of staff to four refugee camps at the beginning of April, together with officials of the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration, with the aim of disseminating information on the security and political situations in East Timor. We hope that the registration day that the Indonesian Government will hold on 6 June 2001, according to the latest information, will make it possible to more clearly determine the number of refugees wishing to return to East Timor, so that they can do so before the closure of registration for the elections.

In this regard, I would like to state that it is necessary for the Office of the United Nations Security Coordinator to rapidly present the results of the mission announced in paragraph 17 of the Secretary-General's report, to take place in May, in order to permit, hopefully, the prompt return of United Nations agencies to the refugee camps.

Reconciliation is one of the most important issues for the future of Timorese society. However, reconciliation cannot take place in an atmosphere of impunity. Those responsible for serious crimes must be brought to trial.

Colombia appreciates the efforts to establish harmonious relations between Indonesia and East Timor through confidence-building measures. We appreciate the efforts made by Mr. Ramos-Horta in that regard. However, equally important is the need to continue to improve the relations between UNTAET and the Government of Indonesia, in particularly the West Timorese officials. In that regard, Colombia welcomes the agreements reached at the recent meeting in Denpasar concerning refugee registration issues and former civil servants' pensions, as well as the proposals for future agreements on airline and postal services and maritime delimitation.

At the last debate, at the beginning of April, we referred extensively to the incidents of political violence in East Timor and the shadows that these cast over the democratic future of the country. In that regard, I would like on this occasion to highlight the content of paragraph 21 of the report, to the effect that the population fears that the political process will not remain peaceful. We urge that the greatest efforts be made to prevent outbreaks of political violence, taking into account, as Mr. Ramos-Horta said, not only internal but also external sources of violence.

With regard to border security, we are concerned by the claim that the pro-Indonesian militias operating

in West Timor have continued to advocate armed struggle to retake East Timor and that their overall capacity has not diminished. In this regard, we take note of the recommendation in the report that, taking into the account the uncertainty regarding how security conditions will develop, it would be advisable to maintain the military component as it is until the Government of East Timor has been established.

In conclusion, I wish to talk about the post-independence presence of the United Nations. In his report, the Secretary-General points out that when East Timor declares independence, it still will not have a properly functioning public administration and that it will take years to acquire many of the skills necessary for the administration to be fully functional. While this is not a surprise — and it seems to us a very realistic statement — it contrasts, as we said at the beginning of this statement, with the enthusiastic spirit of the debate held in January. It is a fact that East Timor will continue to need much assistance from the international community to guarantee its stability. Colombia agrees that the strength of the military component should be maintained and that this matter should be reviewed after the elections are held in August.

We have noted with great interest the establishment of a working group on planning for the phase following the withdrawal of UNTAET. We would like to ask Mr. Annabi if he can give us additional information on the integrated mission task force referred to in paragraph 29, established at United Nations Headquarters, that will assist and complement the working group on planning and coordinate the work of the organizations concerned.

Miss Durrant (Jamaica): My delegation thanks Assistant Secretary-General Hédi Annabi for introducing the comprehensive report of the Secretary-General and for updating the Council on recent developments in regard to political and economic issues, the status of refugees, and security.

My delegation welcomes the presence at our meeting of Mr. Gusmão, President of the National Council of Timorese Resistance, and Mr. Ramos-Horta, member of the transitional Cabinet of East Timor responsible for foreign affairs. Their contribution to the long struggle of the East Timorese people for independence is a matter of historical record. We salute them today, and through them all the people of East Timor as they seek to chart their own destiny.

The United Nations Transitional Administration in East Timor (UNTAET) has developed an impressive record in establishing an effective administration, assisting in the development of civil and social services and supporting capacity-building for self-government. In its efforts to assist with constitutional development and the rule of law, UNTAET has thus made a considerable contribution towards the establishment of an independent East Timor.

However, the primary challenges facing East Timor remain, first, preparing for elections and independence, and secondly, determining a constructive and supportive post-independence role for the United Nations.

We welcome the promulgation on 16 March of the regulation on the election of the Constituent Assembly. The national civic education framework that has been developed provides for the flow of information to the public about the constitutional process. However, we would encourage the early establishment of the district constitutional mechanism to allow the people of East Timor to provide their own inputs and feedback on the drafting of their constitution. We are aware of the importance this will have for building the confidence of the Timorese people in their future legislation.

We also welcome the UNTAET policy of encouraging gender balance in the new Timorese administration. The regulation on elections encourages equal participation of women in the electoral and constitutional processes. We hope that the training of women in political participation, decision-making and the basic knowledge of running for office will result in a substantial number of women participating in the elections and being elected to the Constituent Assembly.

The return and registration of refugees in West Timor still demand our attention, as we draw closer to the elections. According to the Secretary-General's report, the registration process scheduled for completion by 20 June is off to a slow start, and we are still plagued with difficulties associated with the registration of refugees. The report advised that the number of refugees returning to East Timor has declined from nearly 3,000 in March to fewer than 400 in April. It would be useful to hear from Mr. Annabi whether the reasons for the dramatic decline in returns have been identified.

My delegation believes that the prosecution of those responsible for war crimes and heinous acts is essential to the maintenance of and respect for law and order and can have a positive impact on reconciliation. Mr. Ramos-Horta has spoken feelingly about the reaction to the verdicts handed down in connection with the vicious murders of United Nations relief workers in West Timor last year. My delegation said then, and we say again, that justice must not only be done, but must be seen to be done. The fact that the prosecutor has appealed the sentences must, therefore, be viewed as a positive development.

These decisions have a direct bearing not only on the situation within East Timor, but also on future good-neighbourly relations between East Timor and Indonesia. We know that both parties aspire to this. We would also appeal to the Indonesian authorities to find a way of dealing with crimes committed before the August 1999 referendum.

We note that the Office of the United Nations Security Coordinator has decided to lead a security assessment mission to West Timor this month. Mr. Gusmão has drawn a distinction between the internal situation in East Timor, which is under control, and the situation on the border, where the militia groups reign, as he said, with impunity. We encourage the Government of Indonesia to implement all the measures called for in resolution 1319 (2000) in order to create a more secure environment for the return of United Nations staff to West Timor and in order to facilitate the reclassification of West Timor's security status. In this regard, we would support the maintenance of the military component of UNTAET at its present levels.

Even after independence, the assistance of the international community will remain critical for East Timor. We must help the East Timorese to achieve their post-independence aspirations, including economic progress and the consolidation of democracy. It is imperative that the international community continue to provide technical and financial assistance and to assist the people of East Timor in creating an enabling environment for sustained economic growth and sustainable development.

The international civilian police will need to continue to provide law enforcement functions and training for the East Timorese officers. The development of basic infrastructure and social services will also need considerable support, as will the establishment of a credible and effective judicial system.

The success of the United Nations in East Timor will be judged not only on what was achieved prior to independence, but also on the capacity of the East Timorese to deal with their post-independence challenges. In this regard, we support the establishment of an integrated mission task force, as we believe this will provide the basis for determining the assistance which the United Nations can provide.

In conclusion, my delegation wishes to express its support for and solidarity with the people of East Timor. We look forward to welcoming them very soon into the family of nations when they achieve their independence.

Mr. Gokool (Mauritius): On behalf of my delegation, I express to Mr. Gusmão and to Mr. Ramos-Horta a warm welcome to this open meeting, and I thank Assistant Secretary-General Annabi for his briefing. Let me add that it was a pleasure and a privilege to listen to the incisive inputs and ideas on this very important topic. My delegation appreciates the fact that East Timor has continued to make progress on the path to independence. We commend the able guidance and direction of Mr. Vieira de Mello and the good work of the United Nations Transitional Administration in East Timor (UNTAET) in this regard.

From the report of the Secretary-General it is clear that remarkable progress has been achieved since the renewal of the UNTAET mandate in January of this year. The promulgation of the regulation on the election of the Constituent Assembly on 16 March 2001, the civil registration, the development of the national civic education framework, the launching of a comprehensive voter programme and the development and training of the East Timor Lorasa'e Police Service are indeed positive steps.

The efforts to facilitate the development of a dynamic market economy in East Timor will help create a business environment that welcomes domestic and foreign investment. We commend the UNTAET initiative in this regard. We welcome UNTAET's efforts to accelerate the Timorization process through the various training and recruitment programmes in the key sectors of administration and services. We appreciate the fact that in preparation for upcoming

elections to the Constituent Assembly UNTAET has begun a programme designed to bring more women into the political process. We hope that civil society organizations all over East Timor, and the United Nations Fund for Women, will continue collaborating with UNTAET in this respect.

We welcome the meeting between the Government of the Republic of Indonesia and UNTAET/East Timor Transitional Administration, held on 15 May 2001 in Denpasar, when many important issues were discussed and clarified.

We are particularly pleased by the news that the United Nations team has been disseminating information to the refugees about security and the political situation in East Timor as well as about the assistance provided to returnees. We believe that this will dissipate all doubts in the minds of those who are keen to return to their homeland but are discouraged either by lack of information or by disinformation put out by the representatives of the pro-integration groups.

In this regard, we welcome the request by Mr. Vieira de Mello to all journalists in East Timor to adhere to the highest standards of professional integrity, refrain from hate-mongering and avoid bias in their news coverage. We believe that Radio UNTAET has a crucial role to play in the forthcoming elections by educating people and informing them of the mechanisms put in place for a free and fair election.

In the history of the Organization, United Nations-sponsored agreements to monitor elections have proved successful in a number of conflicts. However, just as there are successes in United Nations election monitoring, there are also "half-successes" and even failures. As the need for impartial election monitoring grows, the United Nations must learn from past mistakes in order to fulfil its primary goal of fostering peace and security in the international community. The fact is that the people of East Timor have not known independence for nearly three centuries, and therefore any lacuna in the preparation for the elections on the part of the international community will add to their frustration. We believe that no effort should be spared in order to ensure that there is maximum participation in the elections. It is also important to ensure that the outcome of the elections is really credible.

While the report refers to many positive developments, certain issues of concern are also mentioned. The continued influx of refugees into urban areas, which is adding to the growing unemployment problems; the disinformation and negative propaganda campaigns carried out by the pro-integrationist groups; the widely shared fear that the political process may not remain peaceful; and, above all, the uncertainty in respect of the date of independence need to be dealt with as early as possible.

My delegation believes that political and constitutional developments in East Timor are matters of the utmost importance to the international community, as well as to the East Timorese people. Although much has been said about the process towards full and effective independence, what the East Timorese require is the peaceful transfer of power to the hands of the East Timorese, who must take responsibility for their destiny and continue the developmental process within the framework of democracy, freedom and justice.

It is axiomatic to say that for any democratic process to succeed it must first of all adopt an inclusive approach to accommodate the entire population of the country, without discrimination. We are happy to learn that over 42 per cent of the East Timorese population has already registered to vote. We echo the views of other delegations that the returnees should be treated as an integral element of the broader process of reconciliation and popular democracy in an independent East Timor. We hope that in the short time frame that now is available to UNTAET, this issue will be given the consideration it deserves. We appreciate the decision of the Indonesian authorities to conduct a one-day re-registration of East Timorese refugees in West Timor in June. However, if necessary the registration exercise should be extended to provide a longer period so as to make it more successful and reliable.

Two important matters that we now need to address relate, first, to what kind of relationship the elected Constituent Assembly would like to maintain with UNTAET after the election on 30 August; and, secondly, to the mode of international presence that will be required after independence in order to ensure the effective continuation of the democratic process that is put in place.

From past experience, it is clear that the exit should be steady and planned, taking into account all the possibilities for extending the support and help that

may be required. In this regard, the Security Council must ensure that UNTAET's mission has been successful and that there is the real possibility of timely and quality donor participation in the post-election period for financing of administrative and other constitutional mechanisms that will invigorate the Timorization process and guarantee the people full and effective participation in the day-to-day affairs of their own country.

My delegation supports the observation in paragraph 24 of the report of the Secretary-General in this regard — that is, to maintain the military component essentially in its present form until the East Timorese Government has established itself. We believe that the process of developing and training the Timor Lorasa'e Police Service should gather greater momentum and that it should not have to wait until the end of April 2003 before reaching full strength.

The international community must also see to it that the political will of the East Timorese leadership for a solid society based on the rule of law and precepts of human rights is not warped by unnecessary pressures.

Finally, my delegation is optimistic about the mission that the international community is undertaking in East Timor. We hope that East Timor will achieve the status of nationhood and join the family of United Nations Members in the very near future. Independence for East Timor will mean a lot in terms of peace and security in the region, and will usher in a new era in the popular participation of the people in the progress and development of East Timor.

Mr. Ahsan (Bangladesh): My delegation welcomes the interim report of the Secretary-General and the additional information provided by Mr. Annabi this morning. We also welcome to the Council Mr. Xanana Gusmão, President of the National Council of Timorese Resistance, and Mr. Ramos-Horta. We greatly value their presence and the statements that they made today.

We are at a point at which the territory is poised to embark on the path to independence. The stage for that event has been set by the promulgation of the regulation on the election of the Constituent Assembly and the process of civil registration, which is under way. Today's debate provides us with an opportunity to take stock of the situation regarding some unresolved issues, as well as those issues that might affect the course of events leading towards independence. We want to acknowledge the progress made in the recent round of talks between the Government of Indonesia, the United Nations Transitional Administration in East Timor (UNTAET) and the East Timor Transitional Administration.

On the registration of East Timorese refugees in the camps, we note the resolve to clarify issues relating to citizenship as a consequence of the choice to be made by them. We also welcome the idea of creating a special fund for the payment of pensions to former Indonesian employees, and its inclusion in the joint appeal for the comprehensive resolution of the situation of East Timorese refugees, to be launched by the United Nations and the Government of Indonesia. Positive discussion has also taken place on the establishment of an air link and postal services between Indonesia and East Timor. The recent increase in the number of East Timorese students studying in Indonesian institutions augurs well for meaningful and mutually beneficial relations between the two societies.

We are happy to learn about the campaign for the dissemination of information to refugees on the security and political situation in East Timor. We view the decision to send a security assessment mission to West Timor as a constructive one. In this regard, we hope that the Government of Indonesia will extend full cooperation to the team and take steps that will facilitate an outcome conducive to the return of humanitarian personnel. Meanwhile, security in the camps must be improved through steps that the Government of Indonesia can take. The great reduction in number of refugee returns recently is of concern to my delegation.

On the other hand, very important steps have also been taken by the East Timorese side in the political arena — I am referring to the intention that we heard about today to disband the National Council of East Timorese Resistance and have all political parties sign up to certain principles to be followed in their future endeavours.

We listened carefully to the points made by both Mr. Gusmão and Mr. Ramos-Horta on justice and reconciliation. We fully understand their sentiments. Clearly, much more needs to be done to ensure that there is justice which is seen and accepted as fair. Justice should pave the path towards reconciliation,

and in reconciliation both Indonesia and East Timor have an abiding, long-term interest.

Cooperation between the UNTAET serious crimes unit and the authorities of Indonesia must be reinforced. With regard to the recent sentencing in the Atambua incident, we, like Mr. Ramos-Horta, hope that we have not yet heard the last of it.

We welcome the preparatory steps taken towards the holding of elections on 30 August this year. In this regard, we would like to ask Mr. Annabi about the role that even volunteers are understood to be playing in assisting UNTAET. They could be undertaking other tasks in aid of UNTAET in a cost-effective way, in addition to monitoring elections.

As regards the post-independence scenario, we welcome the setting-up by the Special Representative of the Secretary-General of the working group on post-UNTAET planning and the integrated mission task force. While the group continues its deliberations — and we are happy to note that it is doing so in close consultation with the local population — we believe that there is a need to strike a balance between international and local staff, not sacrificing efficiency.

We fully agree that the enormous investment made by the international community in East Timor should be protected. It is encouraging to note the good progress made so far; however, much more is required to be done to run the country after independence.

We fully appreciate the need for an international peacekeeping presence in East Timor beyond independence and believe that decisions will have to be taken on the merits of the unfolding situation. More and more, the affairs of the territory are going to be in the hands of the East Timorese. The run-up to the elections will be a crucial time and we wish the people of East Timor all the best.

Mr. Ben Youssef (Tunisia) (*spoke in French*): My delegation wishes to thank Mr. Hédi Annabi for his exhaustive briefing. We are all aware of the excellent work and efforts undertaken by UNTAET in carrying out its mandate in East Timor, especially at this crucial stage.

I also wish to thank the Secretary-General for his report. My delegation is also grateful to Mr. Gusmão and to Mr. Ramos-Horta for their briefings on the situation in East Timor and on the challenges ahead in the completion of the independence process.

East Timor is heading slowly but surely towards independence. We must, however, continue closely to follow developments in the situation and to maintain our commitment to the process. The Secretary-General states in his report that East Timor's preparations for independence are well advanced, but he notes that much remains to be done if its objective is to be achieved. These two observations demonstrate that we must make further efforts to meet the aspirations of the population of East Timor to live independently and to safeguard the investments made by the international community in the future of that country.

After independence, East Timor will still need significant international assistance and the United Nations presence in order to ensure stability and to prepare for the future stages in the consolidation of peace in that country. The establishment of a working group to assess the need for competent international personnel to assist the future East Timorese Government is also an important step in that process.

We believe that it is necessary to reach a comprehensive final settlement of the problem of refugees, which remains a source of concern. This requires the commitment of all the parties, allowing for the acceleration of the repatriation or resettlement of refugees in good circumstances and for the onset of the registration process. The participation of refugees in the political future of their country is very important in order to promote reconciliation among all East Timorese. In this respect, we welcome the holding of a meeting on 15 and 16 May in Denpasar between the Indonesian Government and UNTAET, at which they discussed several important issues.

The security situation remains generally calm, despite some isolated incidents perpetrated by uncontrolled elements. In this respect, we believe that a reassessment of security in West Timor in order to modify the security classification in that region might help speed up the re-establishment and building of confidence between the two neighbours and to relaunch reconciliation among the Timorese. Furthermore, we believe that a gradual reduction of the military component and the international civilian police could be considered in the near future.

However, we are of the view that the Secretary-General's proposal to maintain the military component as it stands until the independence of East Timor is a prudent decision that should be taken into

consideration in order to discourage any intention to set back the progress achieved by the international community in East Timor.

Finally, UNTAET is a pilot project for the United Nations whose positive record to date requires us to make further efforts to achieve a smooth transition towards true peace in East Timor. The donor conference to be held in Canberra in mid-June will be a new opportunity for the international community to confirm its commitment in this regard.

Mr. Kassé (Mali) (*spoke in French*): I, too, thank the Secretary-General for his interim report on the United Nations Transitional Administration in East Timor (UNTAET) and Mr. Annabi for his presentation of the report and for the very useful additional information he supplied.

I also wish to welcome among us today Mr. Gusmão and Mr. Ramos-Horta and to thank them for their important statements and for their efforts for the independence of East Timor.

In the report under consideration, we have taken due note of the progress achieved in certain areas, including in the involvement of the public in the drafting of a constitution. We also agree with certain ideas and concerns put forward by previous speakers. In this connection, I wish to make a few comments.

First, although we agree that we must continue the process of preparing for elections, we believe that there is a great deal yet to be done in order to organize fair and inclusive elections on the date specified in the timetable. This is for at least two reasons that are linked, inter alia, to the issues of security and the return of refugees. The question of security is essential to the holding of elections and has been re-emphasized by many of us this morning. Paragraph 21 of the report stresses this issue and we agree with the assessment made in paragraph 24 of the need to maintain the military component essentially in its present form until the East Timorese Government has established itself.

We are grateful to Indonesia for its contribution to the relative stability in the border area, as mentioned in another paragraph of the report. We also feel that the return of refugees must be accelerated, with all necessary support for their broad participation in the elections in the best possible circumstances. We believe that, once again, we must encourage cooperation between the Indonesian Government and UNTAET in this area.

Secondly, we should continue to work towards the strengthening of the capacities of emerging institutions in East Timor, involving the entire United Nations system and the international community. In this regard, we welcome the work done by the Special Representative of the Secretary-General, Mr. Vieira de Mello, and the creation at United Nations Headquarters of an integrated mission task force to support and complete the activities of the working group on post-UNTAET planning. We hope that the donor conference to be held next June in Canberra will allow for progress to be made in the working group.

Thirdly, we continue to believe that we must encourage investment in East Timor in order to address the serious economic issues that are often linked to violence perpetrated by those left idle. Similarly, we encourage the ongoing exploitation of mineral resources under way in East Timor and urge those East Timorese living abroad who are able to do so to invest in their country.

In conclusion, my delegation takes this opportunity to pay tribute once again to the Special Representative of the Secretary-General and to the personnel of UNTAET for their efforts to lead East Timor to independence, in accordance with the aspirations of its people. My delegation remains convinced that an independent East Timor, established in democratic pluralism based on the national pact referred to by Mr. Ramos-Horta, should be assisted by the United Nations and the entire international community.

Mr. Kolby (Norway): Norway would like to join others in welcoming our two important guests, Mr. Xanana Gusmão and Mr. José Ramos-Horta, to the Council. In Norway, both at the political level and within civil society, we have, for an extended period of time, attached great importance to East Timor. It was therefore gratifying to hear their presentations of the situation and of the challenges ahead of us.

We believe that Timor has been going through a difficult period of transition since the 1999 referendum. Through the common efforts of the East Timorese people, its leadership and the United Nations, much has been achieved in a short period of time. However, we all realize that some of the main challenges still lie ahead. The months leading up to the election on 30

August, as well as the immediate post-election period, will be of crucial importance for the future of East Timor. Norway would therefore like to underline the need for a sustained commitment on the part of the Unite Nations at this very critical juncture.

We take this opportunity once again to stress the importance of the August elections being free and fair and of all East Timorese being able to exercise their right to vote. The fact that a large number of the inhabitants have already been registered is encouraging. In that regard, we also welcome the initiative by the United Nations Transitional Administration in East Timor (UNTAET) to conduct a comprehensive voter education programme.

We are all aware of the crucial importance of the safe return of the refugees from West Timor prior to the completion of voter registration. We would therefore like to encourage the Indonesian Government to carry out the promised refugee-registration exercise at the beginning of June this year, that being an important precondition for voluntary repatriation.

However, the security situation in the border areas and in the refugee camps in West Timor continues to be a matter of grave concern. Moreover, there is a clear linkage between the presence of militia groups in and around the camps and the rather slow process of obtaining a durable solution to the problem of refugees. Norway therefore welcomes the initiative by the Office of the United Nations Security Coordinator to undertake an inter-agency security assessment mission to West Timor this month. This will hopefully be an important first step towards facilitating a greater degree of safe return for refugees. As far as security in the border areas is concerned, we would also once again urge the Indonesian Government to take the necessary steps to fulfil Security Council resolution 1319 (2000).

Norway is concerned by recent reports of politically motivated violence. We would like to take this opportunity to urge the East Timorese leadership and UNTAET to further increase their efforts to avoid increased violence in the period leading up to the August elections. As my delegation has stated repeatedly, we attach great importance to the instigation of criminal proceedings against persons who are responsible for serious crimes. Preventing an atmosphere of impunity, objectively ascertaining the truth and enhancing deterrence are, in our view, key premises for long-term peace and reconciliation.

Norway is concerned about the limitation of the temporal jurisdiction of the recently adopted Indonesian ad hoc tribunal for serious crimes committed in East Timor. We are unable to see any valid justification for that limitation of jurisdiction, which will leave the tribunal without authority to try those responsible for the massacres in Liquica and Suai and several other serious crimes. However, we understand that the tribunal's jurisdiction might be expanded to also cover the pre-ballot incidents.

The limitation of the tribunal's jurisdiction, combined with the mild punishment imposed on the offenders in the Atambua case, gives rise to some doubt as to the determination to bring to justice those who have committed serious international crimes. However, we are pleased to learn that the Indonesian Attorney General will launch an appeal against the judgements in the Atambua case. We are equally pleased to note that the investigations carried out by UNTAET in East Timor are moving forward, most recently with the indictment filed on 2 May against two militia members charged with committing crimes against humanity in September 1999.

Norway underlines the importance of continued economic support for UNTAET, the World Bank and the humanitarian and development agencies working in East Timor. However, we believe that the development agencies must make even greater efforts to channel investment to rural areas in order to ensure development in those areas.

Once independent, East Timor will clearly be in need of further assistance, in terms of both financial and technical support and a continued United Nations presence. It is our view that the composition of a future United Nations presence must be based upon a thorough and in-depth assessment of the situation on the ground. In particular, we believe that the future military and police presence should clearly reflect the actual security situation. At the moment there is relative stability in East Timor, but the situation remains fragile. We believe that it would be timely and pertinent to assess and debate the future United Nations presence following the Secretary-General's report to the Council in July of this year.

Moreover, we are pleased that UNTAET has established a working group for post-UNTAET

planning, focusing on the mandate, size, terms and duration of a future United Nations presence in East Timor. We hope the Council will be able to draw considerably on the work of the working group in its future deliberations.

Let me end by once again paying tribute to Special Representative Vieira de Mello and his staff, both international and East Timorese, for undertaking such a challenging task in a manner that gives us hope for a smooth transition to an independent East Timor.

Mr. Krokhmal (Ukraine): I thank you, Mr. President, for scheduling this meeting of the Security Council on East Timor. Our thanks also go to Mr. Annabi for his briefing. We welcome Mr. Gusmão, President of the National Council of Timorese Resistance, and Mr. Ramos-Horta, a member of the transitional Cabinet, and thank them for their participation today in this meeting of the Security Council.

We share the analyses of the latest developments of the situation in the region and of the activities of the United Nations Transitional Administration in East Timor (UNTAET) expressed by the members of the Council who spoke before me. I will abbreviate my own comments.

My delegation welcomes the interim report of the Secretary-General and the conclusions contained therein. It is certainly of critical importance to be guided by the need to safeguard the international community's considerable investments in East Timor's future at this particular stage of the political transition. The next step, one that may perhaps do more than any other taken to date to move towards the goal of obtaining independence, is the completion of the constitution by the Constituent Assembly and the subsequent holding of democratic elections. We feel sure that continued success in the political transition will depend largely or maintaining a secure environment.

The recent series of violent incidents that has been mentioned has raised concern that the political process may not remain peaceful. In this connection, my delegation would like to stress the continued importance of the security arrangements currently provided by the military and civil police components of UNTAET.

With regard to refugees, there was an increase in March in the number of refugees who returned to their places of origin, but the general situation has not improved significantly. We would also like to emphasize the necessity of quickly resolving the situation of refugees. My delegation considers that the reconciliation of the population of East Timor — a question that has a direct bearing on the return of refugees — will be extremely limited until those responsible for the major crimes are prosecuted in conformity with international standards.

We would like to join the delegations that expressed their frustration about the light sentences handed down in the Atambua case. Here I must also emphasize our concern regarding limited scope of jurisdiction for the recently established ad hoc tribunals over gross violations of human rights in East Timor committed before the ballot in August 1999. We are interested in further clarification regarding this situation and how it corresponds to the commitments made by the parties on the basis of the memorandum of understanding on cooperation in legal affairs.

In conclusion, my delegation will continue to support the work of UNTAET, whose activities in East Timor are a serious test of its effectiveness in resolving various kinds of problems.

The President: I will now make a brief statement in my capacity as representative of the United States.

I have been struck by the degree of consensus and the commonality of views expressed today on almost all the issues that have been touched on — elections, security, the transition after independence, justice and accountability. We think we are moving into a crucial period for East Timor. The United States fully supports the tight electoral schedule proposed by the United Nations Transitional Administration in East Timor (UNTAET) and the National Council, and we were pleased to hear Mr. Annabi report that registration continues, with more than 40 per cent of the population already enrolled, and that five political parties have officially come forward. This is welcome news to us.

The Secretary-General's report also focused on security conditions in the run-up to the election. We acknowledge his assessment, as others have. The situation remains unpredictable, and we support his recommendation to maintain the military component in its present form while keeping developments under constant review.

Like others, the United States also looks forward to the Secretary-General's report in July. We hope that that report, which should provide detailed recommendations on the international presence after independence, will contain a better-elaborated exit strategy with benchmarks. That strategy should include plans for transition from a primarily peacekeeping operation to a longer-term development assistance programme provided by a wider range of agencies, in consultation with the East Timorese, with peacekeepers progressively downsized as security conditions permit.

But I want to make it clear that we, like others, believe also that too much has been invested in East Timor to allow a precipitous withdrawal to destabilize the situation. To get this balance right and to have the best programme we will need close consultations among the Secretariat, the Council and troop contributors, and my delegation welcomes the formation of task forces in New York and Dili to achieve that result. We also look forward to the June donors conference in Canberra, where the East Timorese leadership will have the opportunity to present a budgetary plan showing projected sources and uses of funds over the coming years. A well-thought-out and realistic budget is vital to ensure continued international donor support.

I was glad to hear from Mr. Ramos-Horta about the concept of a national pact. We think that internal stability in East Timor can be fostered only if all political parties reject violence and urge tolerance and flexibility, with the recognition that divergent views are welcomed and accepted in a democracy, and we took note of Mr. Gusmão's and Mr. Ramos-Horta's comments in that regard.

On a final and unhappy note, the United States issued a statement expressing our deep disappointment with the highly inappropriate sentences recently handed down by an Indonesian court in the case of the murders of United Nations humanitarian personnel. As President of the Council, on behalf of members of the Council, I raised the matter with the Indonesian Mission. We have all welcomed the news that the prosecutors have appealed the sentences, but I would like to emphasize the United States conviction that accountability for past crimes is a crucial part of moving forward. Indonesia's ad hoc tribunal, UNTAET's investigation of serious crimes and successful prosecution of criminal cases against people like Eurico Guterres and Jacobus Bere are all part of that equation. We would like to see more progress. Nearly two years after the August 1999 violence, we must remain vigilant to achieve it, and I think we all agree that the East Timorese people deserve a reckoning.

I resume my functions as President of the Council.

The next speaker is the representative of Sweden. I invite him to take a seat at the Council table and to make his statement.

Mr. Schori (Sweden): I thank the President of the Security Council for organizing this meeting and Assistant Secretary-General Hédi Annabi for his briefing. I also warmly welcome the presence here today of Mr. Xanana Gusmão and Mr. José Ramos-Horta.

I have the honour to speak on behalf of the European Union (EU). The Central and European countries associate with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey, as well as Iceland and Norway, European Free Trade Association countries members of the European Economic Area, align themselves with this statement.

The EU welcomes the progress that the United Nations Transitional Administration in East Timor (UNTAET) has made during the last couple of months in the implementation of its mandate, and the EU fully supports Mr. Sergio Vieira de Mello in his efforts to ensure full implementation of Security Council resolutions 1272 (1999) and 1338 (2001). Our common objective of early independence for East Timor has come decidedly closer. The main political step in East Timor's transition to independence during the past three months has been the adoption of a regulation on the establishment of a Constituent Assembly. The EU remains committed to the success of the East Timorese transition to independence and supports the electoral timetable. We will support the electoral process in the area of election monitoring as well as in civic education.

The European Union is satisfied to hear that measures are being carried out by UNTAET in order to secure broad public participation in the constitutional development process, and it believes that the civic

educators could play an important role in the construction of an independent East Timor. We encourage UNTAET to continue these efforts. The EU also welcomes the voter education programme that is being carried out.

The EU is concerned about the rather slow pace in the Timorization process. Recruitment and capacity-building efforts need to be strengthened in all governance areas, including at the district level, in order to ensure the good governance of the country once full independence is reached. We would appreciate hearing the Secretariat's assessment of progress in this field.

The EU remains seriously concerned about the unresolved issue of the armed militias and the large number of East Timorese refugees remaining in camps in West Timor, and its implications for the security situation in East Timor. While the EU welcomes efforts by Indonesia to improve relations with East Timor, we call on the Government of Indonesia to implement all measures called for by the Security Council in resolution 1319 (2000).

Given the continued threat of militia activities, the EU notes the Secretary-General's assessment regarding the need to maintain a military component essentially in its present form until more detailed reports on developments in the security situation are available from the Secretary-General. It is also important that the international community support the build-up of the East Timor Defence Force. The continued presence of international civil police is important until the Timor Lorosa'e police service is operational.

The Union notes with satisfaction the efforts made by UNTAET, the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and other relevant parties aimed at increasing the number of refugees returning to East Timor. The EU is seriously concerned that those waiting to return may not do so in time to vote in the elections for the Constituent Assembly in August. We urge the Government of Indonesia to finalize and implement its "global plan" for the repatriation and resettlement of refugees without further delay.

It is indeed very disappointing that the jurisdiction of the ad hoc human rights tribunal will be limited to acts committed after the popular consultation of 30 August 1999, thus excluding several serious crimes. The European Union expects that Indonesia will cooperate with the United Nations High Commissioner for Human Rights as well as UNTAET in accordance with the memorandum of understanding to ensure that the violations of human rights and international humanitarian law in East Timor during 1999 will be prosecuted.

The European Union has already expressed its deep disappointment with the judgements of 4 May on six men in connection with the killings on 6 September 2000 of three international UNHCR staff in Atambua, West Timor. The brutality of the murders does not seem to be commensurately reflected in the judgements. They represent a strike against the efforts to ensure the safety and security of all United Nations humanitarian personnel. The Union welcomes the decision by the prosecutor to appeal the judgements. It is our expectation that the appeals court will honour the commitment of Indonesia in the United Nations Commission on Human Rights that the murders in Atambua will be dealt with in conformity with international standards of justice and fairness.

The European Union welcomes the working group on post-UNTAET planning, as well as the establishment of an integrated task force at Headquarters. We note also the Secretary-General's views on the need for a significant international presence after independence. We are looking forward to further recommendations in his next report.

The President: The next speaker is the representative of Australia. I invite her to take a seat at the Council table and to make her statement.

Ms. Wensley (Australia): Thank you, Mr. President, for convening this open meeting and giving us the opportunity to participate in the Council's latest consideration of East Timor.

Frankly, the level of interest in today's open meeting, both among Council members and non-members, is welcome and reassuring. It is very natural for Australia, as a country in the Asia-Pacific region and one of East Timor's closest neighbours, to be interested and engaged. But East Timor is at this time the direct responsibility of the United Nations, with a unique transition underway, mandated by this Council. The people of East Timor have placed great faith in the United Nations. They know, as do we, that continuing international interest and commitment is essential to

the achievement of a successful long-term outcome in East Timor.

In that connection, we are especially pleased that Mr. Xanana Gusmão, President of the National Council for Timorese Resistance, and Mr José Ramos-Horta, Cabinet member for foreign affairs in the East Timor Transitional Administration, are able to be here today. Their presence and their insights, their dignity and their passion, bring the reality of East Timor vividly into this Chamber, and they demonstrate more clearly than any briefing or report could do the nature of the transition process as it affects and involves the East Timorese themselves, the priorities and challenges which they are confronting now and those which they will need to address in the future.

I also want to thank Assistant Secretary-General Annabi for his comprehensive briefing on the Secretary-General's interim report on the United Nations Transitional Administration in East Timor (UNTAET). Australia welcomes the Secretary-General's account of progress in the transition process over the past three months, and we endorse his judgements about the current political and security situations in East Timor, particularly the view that we must maintain a prudent approach which will safeguard the international community's considerable investment in East Timor's future.

Continuing uncertainty about the security situation in West Timor certainly dictates this cautious approach. My Government remains deeply concerned about the West Timor camps, where tens of thousands of East Timorese refugees are literally stranded, unable to make a free choice about their future. This is both a humanitarian and a security concern. The prompt repatriation or resettlement of the remaining refugees is an important and pressing priority for East Timor's future stability and security. The fast-approaching election and the real possibility of political disenfranchisement for a significant proportion of potential East Timorese voters make an urgent resolution of the situation all the more important.

An end to militia intimidation, unimpeded access to camps by humanitarian workers, effective measures to counter disinformation and a credible registration process all remain key prerequisites for this to succeed. We welcome recent discussions between the Indonesian Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) on plans for registration and repatriation, but we emphasise the need for prompt and decisive action. We urge all parties now to take whatever steps are necessary to move the process forward.

Australia strongly endorses the Secretary-General's view that the military component of UNTAET should be maintained at its current level for the time being and that UNTAET should review this question again after the election of a Constituent Assembly. As so many speakers before me have said, any review must take careful account of the security situation on the ground, in our view particularly along the border, but also in West Timor. In addition, it is Australia's view that any decision to commence a drawdown of peacekeeping troops must be based also on a clear assessment and understanding of the likely security needs in East Timor after independence.

We would also emphasize that any drawdown needs to be part of an overall exit strategy. This Council and the wider United Nations membership have consistently emphasised the importance of developing clear exit strategies for United Nations operations, whether in East Timor or elsewhere. In this respect, we believe the Secretary-General's report would have benefited from greater attention to this important issue.

If the United Nations and the international community make the right decisions now and in the coming months on political as well as security issues, the East Timor transition process has the potential to be a significant success story for the United Nations.

So far, UNTAET has been successful in establishing a sound political transition process. But this process is far from complete. If wrong decisions are made over the coming months, there is a risk, not just to East Timor and its people, but to the Organization's own standing and credibility. Cutting corners or costs may be tempting, especially when things seem to be going reasonably smoothly and when the Organization and its Member States have so many other pressures and crises to address, but such action carries real risks. It may actually cost more in the long run, dealing as we are with a situation which is yet fragile and an emerging nation which is clearly yet vulnerable. Although I am referring here to costs in the broad sense, it follows that the precipitate withdrawal of the support currently provided through assessed contributions would severely disrupt the transition

process and is something that Australia opposes firmly at this time.

Just as it is clear that East Timor needs strong United Nations support and engagement to bring it successfully to independence, so it has become clearer and clearer that the newly independent East Timor will require substantial international support, including military and civilian police components and support for civilian administration, if it is to become a self-reliant, democratic nation.

We strongly support the efforts of the working group on post-UNTAET planning and the integrated mission task force to produce an accurate picture of post-independence needs and available resources. The results of these planning efforts will be critical to decisions about the size, scope and administration of, and the financial support for, a post-independence presence. These are all relevant topics for the international donor conference that Australia will be hosting in Canberra in mid-June.

That June conference will also provide an important opportunity for international donors to renew their support for East Timor. One of the key measures for determining confidence among donors in this newly emerging nation is its approach to economic management. Fiscal responsibility is a fundamental element of effective government anywhere, and it will certainly be essential for an effective future East Timorese Government. In this regard, any further expansion of East Timor's budget significantly beyond the level agreed with donors at the Lisbon and Brussels international donors' conferences would be a matter of concern, given the implications for prudent financial management and possible longer-term debt-financing burdens.

I have consistently stressed to this Council, in previous discussions on East Timor open to non-members of the Council, the importance of the progressive transfer of responsibility to the East Timorese, which in United Nations terminology has come to be referred to as "Timorization", as the future East Timor Government establishes itself. Successful Timorization and capacity-building are both essential to the successful transfer of authority from the United Nations to an effective East Timorese administration. Frankly, not enough progress has been made in this area. For that reason, I was very pleased to hear this morning from José Ramos-Horta about the intention of the East Timorese leadership to intensify this process.

Capacity-building in the area of maintenance of law and order, including the gradual establishment of a functioning East Timor police service, is one critical element of the East Timor transition. Australia is committed to the maintenance of a United Nations civilian police presence in East Timor after independence until the achievement of a fully fledged local police service.

Justice, reconciliation and effective accountability are also essential elements of long-term stability in East Timor. We welcome President Wahid's recent decree establishing an ad hoc human rights court to prosecute human rights violations in East Timor in 1999, and we urge the Indonesian authorities to include all serious abuses of human rights that occurred both in the lead-up to and after the August 1999 ballot. Here I must add Australia's voice to those we have heard today expressing deep concern that the recent sentences delivered by the North Jakarta district court against those responsible for the deaths of three staff members of the Office of the United Nations High Commissioner for Refugees in Atambua were in no way commensurate with the gravity of the crimes. Clearly, as we heard so eloquently from José Ramos-Horta, this is not viewed by the East Timorese as justice. That certainly could not serve as a deterrent to others; nor could it encourage humanitarian personnel to return to West Timor.

The Secretary-General's report makes it very clear that, despite progress so far, there are still many uncertainties as East Timor continues its transition towards independence. I began by welcoming the continuing international commitment to the East Timor transition. I feel compelled to conclude by repeating that this commitment is not only welcome, it is absolutely necessary. Australia agrees fully with the Secretary-General's judgement that premature decisions to reduce the United Nations security or civilian presence in East Timor could undermine the considerable efforts and investment which have been made so far and could result in considerable long-term costs for the United Nations — costs which would ultimately be much higher than those the United Nations and the international community will face if we maintain the current steady and prudent approach to the transition. I think it is fair to say that over the past two years the United Nations has played an exceptional

role in East Timor. But it is much too early to declare the job done or the commitment to the people of East Timor fulfilled.

I must emphasize that UNTAET is a complex and unusual operation, conceived in crisis and founded on a strong political commitment from the international community. If it is to succeed, it needs ongoing commitment and continued, thoughtful planning and management — not just from dedicated people on the ground, like the Secretary-General's Special Representative, Sergio Vieira de Mello, and his team, or individuals in the United Nations Secretariat and United Nations agencies, but from the Member States, led by members of this Council.

We have the opportunity to get things right if we continue to make careful, measured decisions, based on the facts, based on the situation on the ground and based on objective assessments of what is actually needed. We also have the possibility of getting things wrong. We cannot afford to do that — not for this Council, not for the United Nations, not for the peacekeepers and humanitarian workers who have died in East and West Timor, and certainly not for the East Timorese, who are counting on the international community and the United Nations to help them build a sound future.

The President: In view of the hour, and with the concurrence of the Council, I shall suspend the meeting now until 3 p.m.

The meeting was suspended at 1.15 p.m.